

1 MICHAEL S. GREGER (BAR NO. 156525)
A. KENNETH HENNESAY, JR. (BAR NO. 187531)
2 JAMES A. TIMKO (BAR NO. 220140)
ALLEN MATKINS LECK GAMBLE
3 MALLORY & NATSIS LLP
1900 Main Street, Fifth Floor
4 Irvine, California 92614-7321
Phone: (949) 553-1313
5 Fax: (949) 553-8354
E-Mail: mgreger@allenmatkins.com
6 khennesay@allenmatkins.com
jtimko@allenmatkins.com
7

Attorneys for Appellant
8 EOP-Peninsula Office Park, L.L.C.

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 In re
12 CONNECTIX CORPORATION,
13 Debtor.

Case No. C-07-03192 RMW

Chapter 7

USBC Case No. 05-55648-MM7

14 EOP-PENINSULA OFFICE PARK, L.L.C.,

**APPELLANT'S EXCERPTS OF RECORD
ON APPEAL**

15 Appellant,

Appeal Filed: May 17, 2007

16 vs.

17 CONNECTIX CORPORATION, et al.,

18 Appellees.
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Appellant EOP-Peninsula Office Park, L.L.C. ("Appellant"), hereby submits its excerpts of record on appeal as follows:

APPELLANT'S DESIGNATION:

<u>TAB NO.</u>	<u>DATE FILED</u>	<u>USBC DOCKET NUMBER</u>	<u>PAGE NOS.</u>	<u>DOCUMENT DESCRIPTION</u>
1	03/03/2006	79	0001 – 0008	OBJECTION TO CLAIM 66 (EOP-PENINSULA OFFICE PARK LLC) FILED BY TRUSTEE CAROL WU
2	03/03/2006	80	0009 – 0010	NOTICE AND OPPORTUNITY FOR HEARING RE OBJECTION TO CLAIM 66 (EOP-PENINSULA OFFICE PARK LLC) FILED BY TRUSTEE CAROL WU
3	03/03/2006	81	0011 – 0012	CERTIFICATE OF SERVICE OBJECTION TO CLAIM 66, NOTICE OF OPPORTUNITY FOR HEARING #80
4	03/23/2006	91	0013 – 0015	REQUEST FOR HEARING REGARDING TRUSTEE'S OBJECTION TO CLAIM FILED BY CREDITOR EOP-PENINSULA OFFICE PARK, LLC
5	03/23/2006	92	0016 – 0024	MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF RESPONSE TO TRUSTEE'S OBJECTION TO CLAIM 66 (EOP-PENINSULA OFFICE PARK, LLC) INCLUDING PROOF OF SERVICE FILED BY CREDITOR EOP-PENINSULA OFFICE PARK, LLC
6	11/28/2006	124	0025	NOTICE OF HEARING ON OBJECTION TO CLAIM 66 (EOP-PENINSULA OFFICE PARK, LLC) FILED BY TRUSTEE CAROL WU

<u>TAB NO.</u>	<u>DATE FILED</u>	<u>USBC DOCKET NUMBER</u>	<u>PAGE NOS.</u>	<u>DOCUMENT DESCRIPTION</u>
7	12/01/2006	125	0026 – 0044	SUPPLEMENTAL BRIEF/MEMORANDUM IN OPPOSITION TO OBJECTION TO CLAIM FILED BY CREDITOR EOP-PENINSULA OFFICE PARK, LLC
8	12/01/2006	126	0045 – 0062	SUPPLEMENTAL MEMORANDUM IN SUPPORT OF OBJECTION TO CLAIM FILED BY TRUSTEE CAROL WU
9	12/04/2006	127	0063 – 0067	MEMORANDUM IN SUPPORT OF TRUSTEE'S OBJECTION TO CLAIM FILED BY WITNESSES BONNIE FOUGHT, JONATHAN F. GARBER, ROY K. MCDONALD
10	12/05/2006	128	0068 – 0073	BRIEF/MEMORANDUM IN OPPOSITION TO (RE-FILED/PREVIOUSLY MISSING PAGE 5) MEMORANDUM IN SUPPORT OF TRUSTEE'S OBJECTION TO CLAIM FILED BY WITNESSES BONNIE FOUGHT, JONATHAN F. GARBER, ROY K. MCDONALD
11	12/07/2006	129	0074 – 0076	JOINDER IN TRUSTEE'S OBJECTION TO CLAIM FILED BY DEBTOR CONNECTIX CORPORATION
12	12/08/2006	130	0077 – 0078	HEARING HELD RE OBJECTION TO CLAIM 66 (EOP-PENINSULA OFFICE PARK, LLC) FILED BY TRUSTEE CAROL WU
13	05/10/2007	144	0079 – 0090	OPINION AND ORDER RE OBJECTION TO CLAIM
14	05/17/2007	146	0091 – 0107	NOTICE OF APPEAL TO BAP RE OPINION AND ORDER ON OBJECTION TO CLAIM FILED BY CREDITOR EOP-PENINSULA OFFICE PARK, LLC

<u>TAB NO.</u>	<u>DATE FILED</u>	<u>USBC DOCKET NUMBER</u>	<u>PAGE NOS.</u>	<u>DOCUMENT DESCRIPTION</u>
15	05/21/2007	148	0108 – 0110	NOTICE OF REFERRAL OF APPEAL TO BANKRUPTCY APPELLANT PANEL
16	05/21/2007	150	0111	TRANSMISSION OF NOTICE OF APPEAL TO BAP
17	06/06/2007	157	0112 – 0141	TRANSCRIPT, DATE OF HEARING: DECEMBER 8, 2006 RE TRUSTEE'S OBJECTION TO CLAIM
18	12/29/2005	CLAIMS REGISTER DOCKET 3	0142 – 0242	CLAIM NO. 3 FILED BY EOP-PENINSULA OFFICE PARK, L.L.C. - NORTHERN DISTRICT OF CALIFORNIA CLAIMS REGISTER FOR CONNECTIX CORPORATION, CASE NO. 05-55648

APPELLEE'S DESIGNATION:

<u>TAB NO.</u>	<u>DATE FILED</u>	<u>DOCKET NUMBER</u>	<u>PAGE NOS.</u>	<u>DOCUMENT</u>
19	03/23/2006	94	0243 – 0250	NOTICE OF APPEAL RE ORDER DENYING MOTION (A) TO DISMISS OR (B) FOR ABANDONMENT AND LIMITED RELIEF FROM STAY
20	04/21/2006	104	0251 – 0254	APPELLEE'S STATEMENT OF ELECTION TO TRANSFER APPEAL TO THE DISTRICT COURT
21	05/09/2006	109	0255 – 0258	NOTICE OF HEARING ON MOTION OF TRUSTEE CONCERNING CLAIM OF EOP-PENINSULA OFFICE PARK, LLC AND ABANDONMENT OF ASSETS

<u>TAB NO.</u>	<u>DATE FILED</u>	<u>DOCKET NUMBER</u>	<u>PAGE NOS.</u>	<u>DOCUMENT</u>
22	05/23/2006	113	0259 – 0280	SUPPLEMENTAL OBJECTION TO MOTION TO APPROVE COMPROMISE
23	05/23/2006	114	0281 – 0290	DEBTOR'S OPPOSITION TO MOTION OF TRUSTEE CONCERNING CLAIM OF EOP-PENINSULA OFFICE PARK, LLC AND ABANDONMENT OF ASSETS
24	05/25/2006	115	0291 – 0313	TRUSTEE'S REPLY MEMORANDUM IN SUPPORT OF MOTION CONCERNING CLAIM OF EOP-PENINSULA OFFICE PARK, LLC AND ABANDONMENT OF ASSETS
25	05/26/2006	117	0314 – 0335	EOP-PENINSULA OFFICE PARK, L.L.C.'S RESPONSE TO DEBTOR'S AND INSIDERS' OPPOSITIONS TO TRUSTEE'S MOTION FOR ORDER APPROVING COMPROMISE OF CONTROVERSY AND ABANDONMENT OF ASSETS
26	06/02/2006	118	0336 – 0337	HEARING HELD (RE: RELATED DOCUMENT(S) 61 APPLICATION TO COMPROMISE CONTROVERSY WITH EOP PENINSULA OFFICE PARK LLC ESTIMATING CLAIM AND ABANDONING ASSETS FILED BY TRUSTEE CAROL WU (STROMSHEIM, REIDUN)) DENIED. (MEM. (ENTERED: 06/05/2006)
27	02/08/2007	131	0338 – 0340	MOTION FOR ORDER AUTHORIZING EOP-PENINSULA OFFICE PARK, L.L.C. TO FILE AND PROSECUTE AVOIDANCE ACTIONS AND RELATED CLAIMS ON BEHALF OF THE CHAPTER 7 BANKRUPTCY ESTATE AND RELATED RELIEF

<u>TAB NO.</u>	<u>DATE FILED</u>	<u>DOCKET NUMBER</u>	<u>PAGE NOS.</u>	<u>DOCUMENT</u>
28	02/09/2007	139	0341 – 0342	NOTICE OF NON-OPPOSITION OF CHAPTER 7 TRUSTEE TO MOTION FOR AUTHORIZATION FOR CREDITOR TO PROSECUTE AVOIDANCE ACTIONS ON BEHALF OF THE BANKRUPTCY ESTATE
29	02/23/2007	140	0343 – 0352	OBJECTION TO MOTION FOR ORDER AUTHORIZING EOP-PENINSULA OFFICE PARK, L.L.C. TO FILE AND PROSECUTE AVOIDANCE ACTIONS AND RELATED CLAIMS ON BEHALF OF THE CHAPTER 7 BANKRUPTCY ESTATE AND RELATED RELIEF
30	02/23/2007	141	0353 – 0377	DEBTOR'S OPPOSITION TO MOTION FOR ORDER AUTHORIZING EOP- PENINSULA OFFICE PARK, L.L.C. TO FILE AND PROSECUTE AVOIDANCE ACTIONS AND RELATED CLAIMS ON BEHALF OF THE CHAPTER 7 BANKRUPTCY ESTATE AND RELATED RELIEF
31	03/01/2007	142	0378 – 0405	COMPLAINT FOR: (1) AVOIDANCE AND RECOVERY OF FRAUDULENT TRANSFERS...; (2) AVOIDANCE AND RECOVERY OF FRAUDULENT TRANSFERS RESULTING IN INSOLVENCY ...; (3) DAMAGES FOR RECEIVING UNLAWFUL DISTRIBUTIONS ..; (4) DAMAGES FOR APPROVING UNLAWFUL DISTRIBUTIONS TO SHAREHOLDERS ...; (5) BREACH OF FIDUCIARY DUTY; AND (6) CONSTRUCTIVE FRAUD

APPELLANT'S SUPPLEMENTAL DESIGNATION:

<u>TAB NO.</u>	<u>DATE FILED</u>	<u>DOCKET NUMBER</u>	<u>PAGE NOS.</u>	<u>DOCUMENT</u>
32	09/27/2005	14	0406	SUMMARY OF SCHEDULES
33	09/27/2005	15	0407 – 0425	SCHEDULES A-J
34	09/27/2005	16	0426 – 0439	STATEMENT OF FINANCIAL AFFAIRS

Dated: October 29, 2007

Respectfully submitted

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

By: /s/ Michael S. Greger

MICHAEL S. GREGER
Attorneys for Appellant
EOP-Peninsula Office Park, L.L.C.

MANUAL FILING NOTIFICATION

**Regarding: Document Numbers 1-34 (Bates Numbers 0001 through 0439)
As Identified in Appellant's Excerpts of Record on Appeal**

This filing is in paper or physical form only, and is being maintained in the case file in the Clerk's Office. If you are a participant in this case, this filing will be served in hard-copy shortly. For information on retrieving this filing directly from the court, please see the court's main web site at <http://www.cand.uscourts.gov> under Frequently Asked Questions (FAQ).

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☐ Other (description) : _____

PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
) ss.:
 COUNTY OF ORANGE)

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 1900 Main Street, Fifth Floor, Irvine, California 92614-7321.

On October 29, 2007, I served on interested parties in said action the within:

APPELLANT'S APPENDIX OF EXCERPTS OF RECORD ON APPEAL

by placing a true copy thereof in sealed envelope(s) addressed as stated on the attached mailing list and causing such envelope(s) to be deposited in the U.S. Mail at Irvine, California.

I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury that I am employed in the office of a member of the bar of this Court at whose direction the service was made and that the foregoing is true and correct.

Executed on October 29, 2007, at Irvine, California.

 Kim Rodriguez
 (Type or print name)

 /s/ Kim Rodriguez
 (Signature)

1 In re Connectix Corporation
USBC Case No. 05-55648-MM7
2 EOP-Peninsula Office Park, L.L.C. vs. Connectix Corp.
USDC Case No. C-07-03192 RMW

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4 **MAILING LIST**

5 **Appellee/Debtor's Counsel**

James A. Tiemstra, Esq.
6 Law Offices of James A. Tiemstra
409 Thirteenth Street, 15th Floor
7 Oakland, CA 94612-2605

8 **Appellee/Chapter 7 Trustee**

9 Carol Wu, Esq.
25A Crescent Drive #413
10 Pleasant Hill, CA 94523

11 **Chapter 7 Trustee's Counsel**

12 Reidun Stromsheim, Esq.
Linda Sorensen, Esq.
13 Stromsheim and Associates
201 California Street, Suite 350
14 San Francisco, CA 94111

15 **Insiders' Counsel**

16 Jess B. Millikan, Esq.
Bullivant Houser Bailey PC
601 California Street, Suite 1800
17 San Francisco, CA 94108

18 Richard G. Birinyi, Esq.
19 Bullivant Houser Bailey PC
1601 Fifth Avenue, Suite 2300
20 Seattle, WA 98101-1618

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